Serial No.: 10/046,356

REMARKS

A.   Claim Objections

Claims 21 was objected to for omitting the term "termination" in two locations. As suggested by the Examiner, claim 21 has been amended to include the term "termination" in the identified locations as well as two additional appropriate locations.

Claim 22 was objected to since the term "selected" should be "select." Claim 22 has been amended to make this correction.

In view of the amendments, entry of which is considered proper, reconsideration and withdrawal of the claim objections is respectfully requested.

B.   Claim Rejections - 35 U.S.C. § 103

1.   Claims 21, 30 and 32-34

Claims 21, 30 and 32-34 have been rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,760,324 to Scott in view of U.S. Patent No. 6,795,867 to Ma.

Independent claims 21 and 30 recite that a routing server provides a VoIP client with a network address of a selected termination PSTN gateway. Further, using the network address, the VoIP client establishes connection with the selected termination PSTN gateway.

In this manner, the claimed invention includes a specifically selected distribution of tasks within the VoIP system. In particular, the Applicants have arranged the claimed system and corresponding method so that the routing server selects the appropriate termination PSTN based on workload status information from a gateway monitor and a specified routing plan, if predetermined for the VoIP client, else a default routing plan; but the VoIP client itself is responsible for completing the call.

In the claimed arrangement, over-utilization of servers throughout the system is reduced to establish more efficient VoIP call handling. As a result, the claimed implementation addresses the drawbacks found in the prior art discussed at pages 1 through 4 of the application.

7

Serial No.: 10/046,356

The Examiner cites passages in Scott at column 73, lines 43-56 and at column 16, lines 56-57 for disclosing the claimed aspect of the routing server providing the VoIP client with a network address of the selected termination PSTN gateway for the VoIP client to connect to the selected termination PSTN gateway to exchange voice data therewith.

Applicants disagree that this combination of passages discloses that which is claimed. The passage at column 73, line 43-56 defines what a "route" is in Scott's system by stating that a route "is a grouping of information that tells the Gateway Server how to make a particular call." Not only is there no teaching or suggestion of providing the network address of the selected termination PSTN gateway to the VoIP client itself, the passage teaches away from the claimed feature by stating that the gateway server makes the call. Scott's ensuing example supports this conclusion: "a route could tell the Gateway Server to make calls to a particular area code via the Gateway Server located at IP address 192.168.1.3."

Similarly, the passage at column 16, lines 56-57 does not teach or suggest the claimed feature and teaches away from that which is claimed. The cited passage is part of what Scott describes as a "key" role of his routing server (column 16, line 48). The cited passage is part of an example (appearing at column 16, lines 49-57) where "a Gateway Server could ask a Routing Server for a routes to a number." In response, "the Routing Server, if it has a route, would return it to the Gateway, which would then use the route to complete the call." There is no indication that the VoIP client is provided with the address of the selected termination PSTN gateway for call completion as claimed.

One would not be motivated to change the Scott implementation in favor of the claimed approach as this would be contrary to functionality outlined as part of a system component's "key" role.

The Examiner cites Ma for disclosing a VoIP system wherein a routing server identifies the termination PSTN gateway based on workload data. However, even if it is assumed that Ma discloses these features and that Ma is legitimately combinable with

8

Serial No.: 10/046,356

Scott, the claimed invention would not result from the proposed combination. That is, Ma does not cure the above-described deficiencies of Scott. Additional unmotivated changes to the proposed combination would be required to arrive at the claimed invention.

For at least these reasons, independent claims 21 and 30 patentably define over the art of record. Claims 32-34 depend from claim 30 and are allowable for at least the same reasons. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

2.   Claims 22-29 and 31

Claims 22-29 and 31 have been rejected under 35 U.S.C. § 103(a) over Scott in view of Ma further in view of U.S. Patent No. 6,480,898 to Scott ("Scott(2)"). Claims 22-29 depend from claim 21 and claim 31 depends from claim 30. Scott(2) does not cure the above-noted deficiencies of Scott and Ma. Therefore, even if the proposed combination were made, the claimed invention would not result. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

C.   Conclusion

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned representative to expedite prosecution of the present application.

9

Serial No.: 10/046,356

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 18-0988, our Order No. INMEP0104US.

Respectfully submitted,

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10